IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 19TH JULY 2007 / 28TH ASHADHA 1929

WP(C).No. 27451 of 2006(R)

PETITIONER:

L. RAJMOHAN, AGED 35 YEARS,
S/O.SRI.K. LAILADHARAN, VATTATHATTEL HOUSE,
TAGORE ROAD, MUVATTUPUZHA.

BY ADV. SRI.MOHAN JACOB GEORGE
SMT.P.V.PARVATHI
SMT.REENA THOMAS
SRI.TITUS THOMAS

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY ITS
PRINCIPAL SECRETARY (HOME DEPARTMENT)
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR GENERAL OF PROSECUTIONS
HIGH COURT OF KERALA, ERNAKULAM.

BY GOVERNMENT PLEADER SRI. P.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 27451/2006

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE GO MS NO. 87/2006/HOME DT. 22/6/06.

EXT.P2. COPY OF THE GO P 15/2000/SC/ST/DD DT. 16/2/000.

EXT.P3. COPY OF THE GO P NO. 36/2000/SC/ST/DD DT. 27/5/00.

EXT.P4. COPY OF THE GO P NO. 8/2006/SC/ST/DD DT. 2/2/06.

EXT.P5. COPY OF THE GO P NO. 7/2006/P & ARD DT. 8/3/06.

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K.BALAKRISHNAN NAIR,J

W.P.(C)NO. 27451 of 2006

Dated this the 19th day of July, 2007

JUDGMENT

The petitioner was a candidate for appointment to the post of Assistant Public Prosecutor Grade II, when applications were invited for the same by the respondents. Ext.P1 is the rank list published pursuant to the said selection. Petitioner is rank No.2 in the supplementary list for Ezhavas. This writ petition is filed by him seeking the following reliefs:

> A. Declare that the appointment of candidates in reservation quota of Ezhava Community in pursuance of Ext.P1 is liable to be filled up from the supplementary list.
>
> B. Direct the respondents to consider the candidates in supplementary list of Ext.P1 for appointment as APP in the reservation quota of Ezhava in the next arising vacancy reserved for the said community.
>
> C. Direct the respondents to consider the petitioner for appointment as APP against the reservation quota of Ezhava community forthwith.

The prayers 1 and 2 are for directing to the respondents to appoint candidates from the supplementary list of Ezhava in the reservation turn for that community. The main list consists of 145

candidates. Out of them 29 are Ezhava candidates. For satisfying the reservation turn, they have to be appointed first and only in the absence of any Ezhava candidate in the main list, candidates from the supplementary list can be appointed. In view of this well settled rudimentary position, the prayers of the petitioner are plainly untenable. Accordingly, the writ petition is dismissed.

K.BALAKRISHNAN NAIR,
JUDGE

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